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November 3, 1994

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N. W.  
Washington, D.C. 20554

RE: Ex Parte - MM Docket No. 92-266, Implementation of  
Sections of the Cable Television Consumer Protection and  
Competition Act of 1992: Rate Regulation

Dear Mr. Caton:

Please find enclosed a copy of a letter submitted by Cox Cable Communications  
for filing in the above-referenced docket. If there are any questions concerning this  
matter, please contact the undersigned.

Sincerely,

Alexander V. Netchvolodoff

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**Cox Cable  
Communications**  
A Division of Cox Enterprises, Inc.

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James A. Hatcher  
Vice President &  
General Counsel

**NOV 3 1994**

**FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY**

November 3, 1994

VIA FACSIMILE

Ms. Meredith Jones  
Chief  
Cable Services Bureau  
Federal Communications Commission  
2033 M Street, N.W.  
Washington, D.C. 20554

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RE: Going Forward Rules

Dear Ms. Jones:

Cox Cable Communications, Inc. ("Cox Cable") respectfully requests that the Commission address certain operational issues, which are discussed in more detail infra, when it issues its revised rules governing permissible external cost pass through for channel additions to regulated tiers (the "going forward rules").

It is Cox Cable's understanding that the promulgation of the new going forward rules will also require a revision of FCC Form 1210 since the formula for calculating the amount of permissible external costs due to channel additions to regulated tiers will be modified. To avoid delaying the provision of new programming to its customers, we request that the modification of FCC Form 1210, and official approval thereof, be completed on an expedited basis. In the interim, we ask that cable operators be permitted to utilize the current FCC Form 1210 with appropriate modifications until such time as the revised FCC Form 1210 is approved and released for use. This interim approach will ensure that subscribers are not forced to wait for new regulated channels until a federal form is issued.

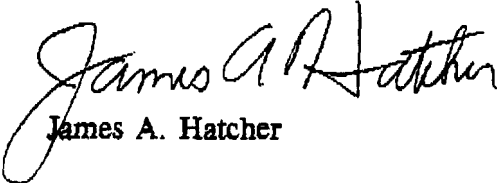
Additionally, it is important that the going forward rules not merely state the effective date of the rules, but also set forth specifically the date from which point forward channels added to a regulated tier will be entitled to the revised external cost treatment. Thus, for example, if the effective date of the rules is January 1, 1995, the Order should specify whether a channel added before that date is nonetheless entitled to the revised external cost calculation allowed under the new going forward rules.

Finally, if the going forward rules permit cable operators to add programming to regulated tiers in the last quarter of 1994 and commence external cost pass through under the revised

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rules in the first quarter of 1995 (which Cox Cable believes to be in the best interest of its customers so that they will have new programming without unnecessary delay), Cox Cable respectfully requests that the Commission modify its current subscriber notice requirements for fourth quarter 1994 channel launches pursuant to pre-existing business plans. Cox Cable proposes that in the event that the full thirty (30) day notice to customers concerning both the fourth quarter 1994 channel change and the first quarter 1995 rate increases cannot be timely completed due to the timing of the release of the going forward rules, cable operators be deemed to be in compliance with the Commission's notice requirements so long as (1) bill or bill insert messages are sent to customers as soon as possible regarding the channel and rate changes and (2) the operator takes additional measures such as announcements on the cable system and newspaper announcements to ensure customer awareness of such changes.

Respectfully submitted,



James A. Hatcher

cc: Blair Levin  
Merrill Spiegel  
Maureen O'Connell  
Lisa Smith  
Mary McManus  
Jill Lockett  
Greg Vogt  
Ed Hearst